

As a result of this Amendment 0001, the subject solicitation is hereby modified as follows:

1. This Amendment 0001 hereby incorporates all questions and answers posted on the USPTO Web page for this solicitation.
2. Under block 9, **delete** the RFP closing time of “2:00 P.M. Eastern Standard Time (EST) , April 10, 2006” and **replace with** the revised RFP closing time of “2:00 P.M. Eastern Standard Time (EST) , April 21, 2006”.
3. Under SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS, the following changes are hereby made:

a. Paragraph B.2 CONTRACT TYPE is hereby **deleted** and **replaced** with the following revised paragraph B.2 :

“B.2 CONTRACT TYPE

The Government will award a single contract that contains Fixed Price Requirements Contract Line Item Numbers (CLIN), Fixed Price Indefinite Delivery/Indefinite Quantity (IDIQ) CLINs, and two Firm Fixed Price CLINs as indicated below:

<u>CLIN</u>	<u>TYPE</u>
0001A through 0001K	Fixed Price Requirements
0002A through 0002K	Fixed Price IDIQ
0003A through 0003K	Fixed Price IDIQ
0004A through 0004K	Fixed Price IDIQ
0005A through 0005K	Fixed Price IDIQ
0006	Firm Fixed Price
0007	Firm Fixed Price

This contract contains performance-based incentive packages that include a multi-tiered payment structure and award terms that can extend the period of performance of the contract. For the Requirements CLINs, realistic estimates are provided and for the IDIQ CLINs, the Government's minimum, maximum, and estimated quantities are provided. The estimated quantities will be added to the Firm Fixed Price CLINs and used for price proposal evaluation.”

b. Paragraphs B.3 through B.12 are hereby **deleted** and **replaced** with revised paragraphs B.3 through B.12 found at Attachment “1” to Amendment 0001. The revised paragraphs add new CLIN 0007 and also delete references to “Plant Applications” under items 0001A through 0001K.

c. Under paragraph B.13.2 Determination of Speed, in the fourth sentence, **delete** “in Section C.5 of the contract” and **replace with** “in Section C.9 of the contract”.

d. Delete paragraph B.13.3 Performance Based Price Adjustments and **replace with** the revised paragraph B.13.3 found at Attachment “2” to Amendment 0001.

4. Under SECTION C - DESCRIPTION/SPECIFICATION/WORK STATEMENT, the following changes are hereby made:

a. Delete paragraph C.3 PROJECT BUDGET and **replace with** revised paragraph C.3 below:

“C.3 GOVERNMENT ESTIMATE

The total government estimate provided for years 1 through 5 for this requirement is \$53,153,000.00. The USPTO reserves the right to award a contract in an amount in excess of the government estimate.”

b. Under paragraph C.6.10 Summary, under the last paragraph, **delete** the following sentence: “The contractor shall not remove any patent application information from the USPTO-designated and approved work site.”

c. Add the following new paragraph after paragraph C.11:

C.12 CLIN 0007

The contractor shall comply with the requirements found in Clause CAR 1352.239-73- SECURITY REQUIREMENTS FOR INFORMATION TECHNOLOGY RESOURCES.

5. Under SECTION E – INSPECTION AND ACCEPTANCE, the following changes are hereby made:

a. Under paragraph E.2, **delete** the title “QUALITY ASSURANCE PLAN” and **replace with** the revised title “QUALITY CONTROL PLAN”.

b. After paragraph E.2 add the following new paragraph E.3:

**E.3 DELIVERABLES REQUIRED UNDER CLAUSE CAR 1352.239-73-
SECURITY REQUIREMENTS FOR INFORMATION TECHNOLOGY
RESOURCES**

Under any resulting contract, the USPTO will inspect and accept all deliverables required under clause CAR 1352.239-73- SECURITY REQUIREMENTS FOR INFORMATION TECHNOLOGY RESOURCES found in Section H of this RFP.

6. Under SECTION G – CONTRACT ADMINISTRATION DATA, Clause G.7 52.245-2 Government Property (Fixed-Price Contracts) is hereby deleted.

7. Under SECTION H - SPECIAL CONTRACT REQUIREMENTS, the following changes are hereby made:

a. Clause H.14 DUPLICATION AND DISCLOSURE OF CONFIDENTIAL DATA is hereby deleted and replaced with the following revised clause H.14:

“H.14 DISCLOSURE OF CONFIDENTIAL DATA

Disclosure of confidential data provided by the USPTO or to which the Contractor will have access as a result of this contract is prohibited. It is understood that throughout performance of the contract the Contractor may have access to confidential data that is the sole property of the USPTO, as well as access to proprietary data that is the sole property of other than the contracting parties. The Contractor hereby agrees to maintain the confidentiality of all such data to which access may be obtained throughout contract performance whether title thereto vests in the USPTO or otherwise. The Contractor hereby agrees not to disclose said data, any interpretations thereof or data derivative therefrom, to unauthorized parties in contravention of these provisions without prior written approval of the CO or the party in which title thereto is wholly vested. This clause also applies to any subcontractors and/or consultants used by the Contractor.”

b. Clauses H.16 IT SECURITY REQUIREMENTS FOR UNCLASSIFIED INFORMATION TECHNOLOGY RESOURCES and H.20 CAR 1352.239-74 SECURITY PROCESSING REQUIREMENTS FOR CONTRACTORS/SUBCONTRACTOR PERSONNEL FOR ACCESSING USPTO AUTOMATED INFORMATION SYSTEMS are hereby deleted from the RFP.

c. New Clause H.16 is hereby added to Section H:

“H.16 RESTRICTION PERTAINING TO LOCATION OF WORK PERFORMANCE

Work shall only be performed inside the continental United States, Alaska or Hawaii. There are no constraints with respect to number of facilities used or proximity to the USPTO as long as the Offeror complies with all of the requirements of the RFP.

d. Clause H.18 GOVERNMENT FURNISHED DATA is hereby **deleted** and **replaced** with the following revised Clause H.18:

“H.18 GOVERNMENT FURNISHED DATA

The Government shall deliver to the Contractor, as may be requested, Government-Furnished Data (GFD) during the performance of this contract. GFD will be delivered to the Contractor as specified in each task order.

Title to GFD shall remain in the Government, and the Contractor shall use the GFD only in connection with this contract.

Upon completion or termination of this contract, the Contractor shall return to the Government or destroy all GFD.”

e. Clause H.19 CAR 1352.239-73- SECURITY REQUIREMENTS FOR INFORMATION TECHNOLOGY RESOURCES is hereby deleted and revised to include valid Internet addresses. The revised Clause H.19 is found on Attachment “3” to this Amendment 0001.

8. Under SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS, the following changes are hereby made:

a. Under paragraph L.3.1, under subparagraph 5, delete the last sentence that states “USPTO systems cannot currently support a means of interface other than that described in Section C.6.10, but future changes to these systems could potentially do so.”

b. Under paragraph L.3.2, subparagraph 2 is hereby deleted and replaced with the following revised subparagraph 2:

“2. Specific Management Plan for the contract.

(a) The Offeror shall provide the total number of employees to be assigned to this contract, including an organizational chart containing labor categories and job descriptions. The Offeror shall further include any teaming or subcontracting arrangements, the plan to manage any such arrangements and identify which employees in the organizational chart will be employed by the prime and which will be employed by any team members or subcontractors.

(b) The Offeror shall provide a plan for recruitment and retention of highly qualified personnel necessary to meet the requirements in Section C of this RFP.”

c. Paragraph L.3.3 is hereby deleted and replaced with the revised paragraph L.3.3 as follows:

“L.3.3 PRICE (FACTOR C)

The USPTO anticipates award of single contract that contains Fixed Price Requirements Contract Line Item Numbers (CLIN), Fixed Price Indefinite Delivery/Indefinite Quantity (IDIQ) CLINs, and two Firm Fixed Price CLINs as indicated below:

<u>CLIN</u>	<u>TYPE</u>
0001A through 0001K	Fixed Price Requirements
0002A through 0002K	Fixed Price IDIQ
0003A through 0003K	Fixed Price IDIQ
0004A through 0004K	Fixed Price IDIQ
0005A through 0005K	Fixed Price IDIQ
0006	Firm Fixed Price
0007	Firm Fixed Price

Offerors shall only provide unit and total pricing for each CLIN listed in Section B.3 through B.12 and submit this with their proposal. Section B.3 through B.12 shall serve as a template for the price submission. Offerors must propose unit prices and total prices for each CLIN for all periods of performance. For the Requirements CLINs, realistic estimates are provided and for the IDIQ CLINs, the Government’s minimum, maximum, and estimated quantities are provided. The estimated quantities will be added to the Firm Fixed Price CLINs and used for price proposal evaluation.

d. Under paragraph L.4, last sentence, delete solicitation number “52-PAPT-05-01020” and replace with solicitation number “DOC-52-PAPT-06-01010”.

e. Under paragraph L.20, **delete** the following “* Volume I shall not exceed 45 total pages exclusive of Past Performance Questionnaires (Attachment “B” to this RFP) and Letters of Commitment for any proposed Key Personnel (see Attachment “C” to this RFP)” and **replace with** the following “* Volume I shall not exceed 50 total pages exclusive of Past Performance Questionnaires (Attachment “B” to this RFP) and Letters of Commitment for any proposed Key Personnel (see Attachment “C” to this RFP)”.

9. Under SECTION M – EVALUATION FACTORS FOR AWARD, the following changes are hereby made:

a. Under paragraph M.6, subparagraph C is hereby **deleted** and **replaced with** the revised subparagraph C as follows:

“C. Price Proposal

The USPTO will evaluate the Offeror’s proposal and pricing of all CLIN items listed in Section B. The price proposal will be reviewed and analyzed in depth, but will not be scored. The USPTO will evaluate the Offeror’s total proposed price for the base period and all option/award term periods listed in Section B.3 through Section B.12 by utilizing the estimated quantities for the Requirements CLINs, the estimated quantities for the IDIQ CLINs and the total prices for the Firm Fixed Price CLINs.”

b. Under paragraph M.6, subparagraph E is hereby **deleted** and **replaced with** the revised subparagraph E as follows:

“E. Relative Importance of Evaluation Factors and Best Value Determination

The Non-Price Evaluation Factors’ importance is in the following descending order with the most important factor listed first: Factor A Technical Approach and Factor B Management Plan. The subfactors under each factor are listed in descending order of importance in the opening paragraph of this section M.6. When combined, the Non-Price Factors are significantly more important than Factor C Price Proposal. Factor C Price Proposal will be evaluated but not scored.”

Offerors must acknowledge receipt of this amendment prior to the closing date of the RFP by completing block 14 on each copy of the signed Standard Form 33 submitted with the offeror’s proposal. Failure to do so may result in rejection of the offeror’s proposal.